UNITED STATES PATENT AND TRADEMARK OFFICE

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09/299,724	04/27/1999	JONATHAN KAGLE	03797.78520	3637

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EXAMINER
HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/299,724	KAGLE, JONATHAN
	Examiner	Art Unit
	Cong-Lac Huynh	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 December 2004_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-68_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-68_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: amendment filed 12/8/04 to the

application filed on 04/27/99, priority 12/11/98.

2.   Claims 1-68 are pending in the case. Claims 1, 17, 23, 39, and 45 are the

independent claims.

3.   The objection of the specification remains since the related application

mentioned in the previous office action is not cited in the specification as required.

Specification

4.   Applicant is required to cite any related applications (the co-pending application

submitted in the IDS paper #6) on the first page of the specification.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior

art under 35 U.S.C. 103(a).

7.   Claims 1-68 remain rejected under 35 U.S.C. 103(a) as being unpatentable Jois

et al. (US Pat No. 6,112,242, 8/29/00, filed 7/10/96) in view of Moore et al. (US Pat No.

6,330,575 B1, 12/11/01, filed 3/31/98).

Regarding independent claim 1, Jois discloses:

- generating a web page layout (**col 7, lines 6-18**: fetching and incorporating the

    subtemplates #0, #1, #2 onto the master template 500 show generating the

    master template, which is the layout of the web page)

- receiving a predetermined selection signal indicative of a user interface selection

    device pointing at a selected predetermined region of the web page layout (**col 6,**

    lines 14-25: marking the location in the master template where each of the

    subtemplates is to be inserted by the composite web page generator shows

    receiving a signal indicative of selecting a predetermined region of the web page

    layout when marking is performed)

Jois does not disclose:

- receiving a style template selection signal indicative of a the user selection

    device pointing a selected style template for the predetermined region, the

selected style template including at least one HTML code defining a style of the

style template

- generating an updated web page layout responsive to receiving the style

template selection signal

Moore discloses:

- receiving a style template selection signal indicative of the user selection device

pointing at a selected style template for the predetermined region (**figure 7**:

selecting the *style template, which includes center and large image size features*

for the header; selecting the style template for the header, which is a

predetermined region, inherently indicates receiving a style template selection

signal since the system would receive such a signal when the style selection for

the header is made)

- automatically generating an updated web page layout responsive to receiving the

style template selection signal (**figure 7**: the preview feature inherently shows

that the updated web page layout is automatically generated after selecting a

style for the header to show how the web page is presented for previewing)

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Moore into Jois since Moore provides selecting a style

template for a header, which is a predetermined region of a web page and generating a

updated web page layout upon selecting a style for a predetermined region, and Jois

suggests selecting a predetermined region of a web page with the associated HTML

codes for the templates. The combination of Moore into Jois would give a user an

instant update of a web page layout by updating a portion of the layout via *selecting a*

predetermined portion with its associated subtemplate and *a desired style* instead of

waiting for updating the whole template of the web page.

Regarding claim 2, which is dependent on claim 1, Jois does not explicitly disclose that

the predetermined region of the web page layout is a horizontal region spanning an

entire width of the web page layout.

Instead, Jois discloses the subtemplate #410 is a title and table of content template

(figures 4 and 5).

Moore discloses that the header of a page, which is equivalent to a title of the page, is

on the top of the page where a user can select the image size to a large size (figure 7).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Moore into Jois to modify the position of the title to be on

the top of the page instead of on the left side as in Jois and covering the entire width of

the web page layout by changing the title size.

Regarding claim 62, which is dependent on claim 1, Jois does not disclose uploading

the updated web page layout to a server, the updated web page layout including at least

one selected style template.

Moore provides the capability of changing the style of a predetermined region (figure 7:

the image in the header can be changed to Right or Left instead of Center). Moore also

provides the Preview feature for previewing the header after the change or the update is made to the header (figure 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Moore to include uploading the updated web page layout to the server since updating the web page layout and previewing the updated web page suggests that the updated web page layout would be uploaded to the server for presenting the web page in the Internet.

Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Moore into Jois since Moore suggests uploading the updated web page to the server providing the advantage to incorporate into Jois for rapidly presenting an updated web page on the Internet whenever a portion of web page layout is updated instead of waiting for the whole web page layout is generated.

Regarding claim 3, which is dependent on claim 62, Jois discloses that:
- the selected style template includes a space for information that is related to the style of the style template (**col 7, lines 6-25**: the web page is generated based on the master template composed of the three subtemplates; it was well known that each template has the spaces for filling data related to the template)
- inserting the information related to the style of the template into the space before the step of uploading the updated web page layout (**col 7, lines 6-25**: inserting the contents of the web page into the templates)

Regarding claim 4, which is dependent on claim 3, Jois discloses that the information

related to the style of the template is a title (figure 4, col 5, line 60 to col 6, line 34: one

of the subtemplate is a title template).

Regarding claim 5, which is dependent on claim 3, Jois discloses that the information

related to the style of the template is textual (col 5, line 60 to col 6, line 34: it was well

known that data filled in a template is textual information).

Regarding claim 6, which is dependent on claim 3, Jois discloses that the information

related to the style of the template includes hypertext link information (col 6, line 63 to

col 7, line 25: it was well known that the contents of the templates can be hypertext link

information).

Regarding claim 7, which is dependent on claim 3, Jois discloses that the information

related to the style of the style template includes at least two of image information,

graphical information, textual information, and audio information (**col 5, line 60 to col 6,**

line 45: the template includes the title and the table of contents, which are text

information, and also includes selection buttons or the "add" button, which are graphical

information).

Regarding claim 8, which is dependent on claim 3, Jois discloses that the information

related to the style of the style template is a pointer to a file containing information that

is to be inserted into the selected template (**col 7, lines 6-54**: the fact that the contents

of the subtemplates are inserted to generate the web page indicates that there is a

pointer to a file containing data to be inserted into the templates).

Regarding claims 9 and 10, which are dependent on claim 8, Jois discloses that the file

contains image information and graphical information (col 5, line 60 to col 6, line 45: the

template includes the title and the table of contents, which are text information, and also

includes selection buttons or the "add" button, which are graphical information).

Regarding claim 11, which is dependent on claim 8, Jois does not disclose explicitly that

the file contains audio information. Instead, Jois discloses that a web page is capable

of carrying multimedia information (col 4, lines 42-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have modified Jois to include the audio information since the multimedia

information in the web page in Jois, which includes text, graphics, video, and audio

data, suggests the audio information.

Regarding claim 12, which is dependent on claim 1, Jois discloses that the selected

style template is one of a title template, a text template, an audio template, a picture

template, a parallel column template and a navigational bar template (figures 4 and 5).

Regarding claim 13, which is dependent on claim 1, Jois does not disclose selecting a

style template includes a step of selecting a graphical icon representing the style of the

template.

Moore discloses selecting a graphical icon representing the style of the template (figure

9: the icons of text, image, or media are for selecting different styles for the template).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Moore into Jois to provide a visual tool for easily selecting

an item.

Regarding claim 14, which is dependent on claim 1, Jois discloses concatenating a

plurality of selected style templates to generate the web page layout (figure 5: arranging

the templates included the master template to generate the web page layout).

Regarding claim 15, which is dependent on claim 1, Jois discloses recording the web

page layout as a macro style template (figure 5: the master template, since including the

subtemplates is considered as a macro template).

Regarding claim 16, which is dependent on claim 15, Jois discloses:

-   selecting the macro style template (col 5, line 60 to col 6, line 34: the master

    template is selected for filling data for the subpages)

    - inserting information related to the style of each style template forming the macro

    style template (col 5, line 60 to col 6, line 34: filling data to each subtemplate of

    the master template where each subtemplate has different style)

Jois does not disclose uploading the updated web page layout to a server.

Moore provides the capability of changing the style of a predetermined region (figure 7:

the image in the header can be changed to Right or Left instead of Center). Moore also

provides the Preview feature for previewing the header after the change or the update is

made to the header (figure 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to have modified Moore to include uploading the updated web page

layout to the server since updating the web page layout and previewing the updated

web page suggests that the updated web page layout would be uploaded to the server

for presenting the web page in the Internet.

Also, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to have combined Moore into Jois since Moore suggests uploading

the updated web page to the server providing the advantage to incorporate into Jois for

rapidly presenting an updated web page on the Internet whenever a portion of web

page layout is updated instead of waiting for the whole web page layout is generated.

Regarding independent claim 17, the claim includes the same limitations as in

independent claim 1, and is rejected under the same rationale. The only exception is

that instead of "a style template", the claim states "a macro style template."

Jois discloses the master template including the subtemplates, which is considered as

the macro style template, to generate the web page (col 6, lines 14-24).

Claims 18-22 include the same limitations as in claims 2-3, 7-8, 12-13, and are rejected

under the same rationale.

Independent claim 23 is for a computer-readable medium of claims 1 and 62, and

therefore is rejected under the same rationale.

Claims 24-38 are for a computer-readable medium of claims 2-16, and therefore are

rejected under the same rationale.

Claims 39-42 are for a computer-readable medium of claims 17-20, and therefore are

rejected under the same rationale.

Claims 43-44 are for a computer-readable medium of claims 21-22, and therefore are

rejected under the same rationale.

Regarding independent claim 45, Jois discloses:

- displaying a web page layout on a display (figure 4, col 5, lines 5-16)

- displaying a plurality of style templates on a display, each style template

  representing a layout style for a predetermined region of a web page layout

  (figures 4-5, col 5, lines 5-16, 42 to col 6, line 13: there are a plurality of style

templates such as the title and table of content style, the style for the invoice and

the style for the catalog)

- receiving a predetermined region selection signal indicative of a user interface

    selection device pointing at a selected predetermined region on the display (**col**

    6, lines 14-25: marking the location in the master template where each of the

    subtemplates is to be inserted by the composite web page generator shows

    receiving a signal of selecting a predetermined region of the web page layout

    when marking is performed)

Jois does not explicitly:

- receiving a style template selection signal indicative of the user interface

    selection device pointing at a selected style template on the display, the selected

    style template associated with at least one HTML code defining a style of the

    style template

- displaying an updated web page layout in response to the received style

    template selection signal

Moore discloses:

- receiving a style template selection signal indicative of the user selection device

    pointing at a selected style template for the predetermined region (**figure 7**:

    selecting the *style template, which includes center and large image size features*

    for the header; selecting the style template for the header, which is a

    predetermined region, inherently indicates receiving a style template selection

signal since the system would receive such a signal when the style selection for

the header is made)

- generating an updated web page layout responsive to receiving the style

  template selection signal (**figure 7**: the preview feature inherently shows that the

  updated web page layout is generated for previewing after selecting a style for

  the header to show how the web page is presented)

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Moore into Jois since Moore provides selecting a style

template for a header, which is a predetermined region of a web page and displaying an

updated web page layout in response to the received style template selection signal,

and Jois suggests selecting a predetermined region of a web page with the associated

HTML codes for the templates. The combination of Moore into Jois would give a user

an instant update of a web page layout by updating a portion of the layout via *selecting*

a predetermined portion with its associated subtemplate and *a desired style* instead of

waiting for updating the whole template of the web page.

Regarding claim 46, which is dependent on claim 45, Jois does not disclose:

- uploading the updated web page layout to a server in response to the uploading

  layout entry, the web page layout including at least one selected style template

- displaying an uploading layout command selection on the display

- receiving an uploading layout entry selection signal indicative of the user

  interface device pointing at the uploading layout command selection

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Jois to include "displaying an uploading layout command ..." and "receiving an uploading layout entry ..." for the following reason. The fact that Jois has the ability of uploading the web page to the server (col 8, lines 1-10) suggests the display of an uploading layout command as well as the uploading layout entry selection signal since before uploading the web page, the uploading command should be selected, and so the uploading selection signal should be received upon the uploading selection action.

Moore provides the capability of changing the style of a predetermined region (figure 7: the image in the header can be changed to Right or Left instead of Center). Moore also provides the Preview feature for previewing the header after the change or the update is made to the header (figure 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Moore to include uploading the updated web page layout to the server since updating the web page layout and previewing the updated web page suggests that the updated web page layout would be uploaded to the server for presenting the web page in the Internet.

Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Moore into Jois since Moore suggests uploading the updated web page to the server providing the advantage to incorporate into Jois for rapidly presenting an updated web page on the Internet whenever a portion of web page layout is updated instead of waiting for the whole web page layout is generated.

Claims 47-61 includes the same limitations as in claims 2-16, and are rejected under
the same rationale.

Regarding claim 63, which is dependent on claim 1, Jois discloses:

- selecting a second predetermined region of the web page layout (figures 4 and 5:
  the three regions in the web page layout can be selected as a first, second, or
  third region of the web page)

- selecting a style template for the second predetermined region (figure 4: the style
  template for a region in the composite web page can be selected as a title and
  table of contents, an interactive invoice, or a catalog listing with user selection
  style)

Claim 64 includes the same limitation of claim 62, and is rejected under the same
rationale.

Regarding claim 65, which is dependent on claim 1, Jois does not disclose uploading
the updated web page layout responsive to receiving the style template selection signal.
Moore discloses updating the web page layout responsive to receiving the style
template selection signal (**figure 7**: the preview feature inherently shows that the web
page layout is updated for previewing after selecting a style for the header).
It would have been obvious to one of ordinary skill in the art at the time of the invention
was made to have combined Moore into Jois for the following reason. Updating a web

page layout in response to the received style template selection signal in Moore

suggests that the web page, after updated, would be uploaded to the server to show

how the updated web page is presented in the Internet.   Moore, therefore, provides the

advantage to incorporate into Jois for uploading the updated web page whenever any

update or change is made to a portion of the web page instead of waiting for the whole

web page layout to be updated to upload.

Regarding claim 66, which is dependent on claim 1, Jois does not disclose:

- receiving a second predetermined selection signal indicative of the user interface

   pointing at a second selected predetermined region of the updated web page

   layout

- receiving a second style template selection signal indicative of the user selection

   input device pointing at a second selected style template for the second

   predetermined region, the second style template including at least one HTML

   code defining a style of the second style template

- generating a newly-updated web page responsive to receiving the second style

   template selection signal

Moore discloses that the style of the header, which is a predetermined region of the web

page, can be changed by selecting either Left, Center, or Right button, and by selecting

different size of the image in the pop-up menu (figure 7). The updated layout of the web

page after changing style can be viewed by selecting the Preview feature (figure 7).

Moore discloses that the header can be changed by selecting different style such as

Left, Center, or Right, and the size of the image suggests that a user *can select another*

style such as Right with the large size, which is *considered equivalent to the second*

style template, instead of the current style Center for the header. Further, the Preview

feature in Moore also suggests that the newly-updated web page is generated to

provide the updated web page to user for previewing before printing or saving.

Regarding claim 67, which is dependent on claim 66, Moore discloses that the first and

second predetermined regions are the same region (figure 7: the first and the second

predetermined regions are the same header).

Regarding claim 68, which is dependent on claim 66, Moore discloses that the first and

second selected style templates are different style templates (figure 7: the Center with

Large size and the Right with Large size are different style templates).

Response to Arguments

8.   Applicant's arguments filed 12/8/04 have been fully considered but they are not

persuasive.

Applicants argue that Jois and Moore do not teach or suggest "generating a web page

layout" and "automatically generating an updated web page layout responsive to

receiving the style template selection signal" since in Jois, the composite web page is

not generated until all templates have been loaded, and in Moore a user must perform a

selection operation to preview the web page using the Development Tool, and any type

of finished web page or preview web page is not generated automatically (Remarks,

page 14).

Examiner respectfully disagrees.

The fact that Applicants point out that in Jois, the composite web page is not generated

until all the templates have been loaded is not relevant. The claim requires generating

a _web page layout,_ not the composite web page. Jois discloses how the master

template, which is the web page layout, is generated (col 7, lines 6-18: fetching and

incorporating the subtemplates #0, #1, #2 onto the master template 500 show

generating the master template, which is the layout of the web page). Therefore, Jois

does disclose generating a web page layout as argued.

The fact that Applicants point out that in Moore, a user must perform a selection

operation to preview the web page is not relevant. The claim requires "_automatically_

generating an update web page layout responsive to receiving the style template

selection signal." Moore discloses that after selecting a style _to replace_ a previous style

for the header, a user can see how the web page looks like via selecting the preview

feature (figure 7). Of course, it was well known that the preview must be selected by a

user. However, generating the updated web page layout is performed automatically by

the system after replacing the style of the header, which is an element in the template,

to update the web page layout, according to the set up of the program. Moore,

therefore, discloses the argued feature.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

10.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Rosin et al. (US Pat No. 6,260,192 B1, 7/10/01, filed 6/2/97).

Lombardo et al. (US Pat No. 6,341,290 B1, 1/22/02, filed 5/28/99).

Kikinis (US Pat No. 6,553,410 B2, 4/22/03, filed 5/4/98).

Cruickshank et al. (US Pat No. 6,522,738 B1, 2/18/03, filed 12/16/98).

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-

0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 703-308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Clh
2/11/05

STEPHEN HONG
SUPERVISORY PATENT EXAMINER